



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Jammu, Thu., the 26th Nov., 2015/5th Agra., 1937. [No. 35

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PART I-A

Jammu & Kashmir Government—Orders

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR.

Notification

No. 295 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Mr. Sajid Sheikh S/o Mr. A. G. Sheikh R/o Dhandal, Gurmāl, Doda A/P Dalpation Mohalla, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-307/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 296 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Mr. Umar Nazir S/o Mr. Nazir Ahmad Khar R/o Ghat-i-Qaimoh, Kulgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-291/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 297 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Mr. Mohammad Haris S/o Mr. Manzoor Ahmed Wani R/o 119, Umar Colony, Lal Nagar, Chanpora, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-278/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 298 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Ms. Saima Rashid D/o Mr. Ab. Rashid Sofi R/o Towa Lane, Drangbal, Pampore has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-292/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 299 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Ms. Rasheeda Shaheen D/o Mr. Ghulam Nabi Janwari R/o H. No. 14, New Colony, Lal Mandi, Wazir Bagh, Srinagar has been admitted and

enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-274/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 300 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Mr. Tariq Ahmad Sheikh S/o Mr. Gh. Nabi Sheikh R/o Uzrampathri Mohalla, Bonapora, Rajpura, Pulwama has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-253/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 301 Dated 23-07-2015.

It is hereby notified that vide High Court Order dated 08-07-2015 Mr. Kanav Raina S/o Mr. Ashok Kumar Raina R/o F/116, Lower Shiv Nagar, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-288/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 409 Dated 05-10-2015.

It is hereby notified that vide High Court Order dated 29-09-2015 Mr. Sameem Bashir S/o Mr. Bashir Ahmad Parrey R/o Kriandigam, New Colony, Bijbehara, District Anantnag has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his Character and antecedent from the concerned agency. His name has been entered under Serial No. JK-373/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 410 Dated 05-10-2015.

It is hereby notified that vide High Court Order dated 29-09-2015 Ms. Asiya Nabi D/o Mr. Ghulam Nabi Rather R/o Busserbugh, Alasteing, Tehsil and District Ganderbal has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his Character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-372/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 411 Dated 05-10-2015.

It is hereby notified that vide High Court Order dated 29-09-2015 Ms. Heena Bashir D/o Mr. Bashir Ahmad Janwari R/o H. No. M-1, Sanat Nagar, City Srinagar, District Budgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his Character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-370/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 412 Dated 05-10-2015.

It is hereby notified that vide High Court Order dated 29-09-2015 Mr. Sandeep Bhat S/o Mr. Ashok Kumar Bhat R/o Near Sub-Post Office, Jakhani, Tehsil Udhampur has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his Character and antecedent from the concerned agency. His name has been entered under Serial No. JK-369/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) G. M. PARRAY,

Joint Registrar (Adm.).

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.
(Services)

Subject :— Transfers and Postings.

Reference :— Cabinet Decision No. 145/11/2015 dated 19-10-2015.

Government Order No. 1386-GAD of 2015

Dated 19-10-2015.

In the interest of administration, the following transfers and postings are hereby ordered with immediate effect :—

1. Mr. Sundeep Kumar Nayak, IAS (JK-88), Principal Secretary to the Government, Power Development Department, is transferred and posted as Principal Secretary to the Government, Relief and Rehabilitation Department. He shall also be the Chief Executive Officer, Project Monitoring Unit of the 'New World Bank Project.'
2. Mr. Dheeraj Gupta, IAS (JK-93), Commissioner/Secretary to the Government, Relief and Rehabilitation Department, is transferred and posted as Commissioner/Secretary to the Government, Power Development Department.

Mr. Raj Kumar Goyal, IAS (JK-90), Principal Secretary to the Government, Home Department, shall hold the charge of the post of Financial Commissioner, Revenue, in addition to his own duties, till further orders.

3. Mr. Shailendra Kumar, IAS (JK-95), Commissioner/Secretary to the Government, Labour and Employment Department, is transferred and posted as Commissioner/Secretary to the Government, Industries and Commerce Department. He shall hold the charge of the post of Commissioner/Secretary to the Government, Labour and Employment Department, in addition to his own duties, till further orders.

4. Mr. Saleem Mohammad, IAS (JK-02), awaiting orders of adjustment in the General Administration Department, is posted as Additional Commissioner in the Office of Divisional Commissioner, Jammu, against an available vacancy.
5. Mr. Mohammad Javed Khan, IAS (JK-05), awaiting orders of adjustment in the General Administration Department, is posted as Custodian General, J&K, relieving Mr. Shahid Anayatullah, IAS, of the additional charge.
6. Mr. Saugat Biswas, IAS (JK-06), Deputy Commissioner, Kishtwar, is transferred and posted as Project Director, Rashtriya Madhyamik Shiksha Abhiyan vice Ms. Deepti Uppal, who shall await further orders in the GAD. He shall hold the charge of the post of Project Director, Sarva Shiksha Abhiyan, in addition to his own duties, till further orders.
7. Mr. Kuldeep Lal Khajuria, KAS, awaiting orders of adjustment in the General Administration Department is posted as Special Secretary to the Government, Department of Rural Development and Panchayati Raj.
8. Mr. Talat Parvez Iqbal Rohella, KAS, awaiting orders of adjustment in the General Administration Department, is posted as Director, Floriculture, Kashmir, relieving Mr. Ravinder Kumar, IAS, of the additional charge.
9. Mr. Anil Kumar Gupta, KAS, awaiting orders of adjustment in the Office of Divisional Commissioner, Jammu, is posted as Secretary in the J&K State Electricity Regulatory Commission vice Mr. Abdul Hamid, who shall await further orders of adjustment in the General Administration Department.
10. Mr. Ajay Singh Jamwal, KAS, awaiting orders of adjustment in the General Administration Department, is posted as Joint Transport Commissioner, J&K.
11. Mr. Gulzar Hussain, KAS, Director, Tribal Affairs, J&K, is transferred and posted as Project Director, DRDA, Kargil, against an available vacancy.

12. Mr. Avtar Singh Chib, KAS, Additional District Development Commissioner, Kishtwar, is posted as Additional District Development Commissioner, Rajouri.
 13. Mr. Ghulam Nabi Balwan, KAS, Secretary, J&K State Information Commission, is transferred and posted as Deputy Commissioner, Kishtwar.
 14. Mr. Veerji Hangloo, KAS, Additional District Development Commissioner, Rajouri, is transferred and posted as Director, Social Welfare, Jammu.
 15. Mr. M. S. Choudhary, KAS, Director, Social Welfare, Jammu, is transferred and posted as Director, Tribal Affairs, J&K.
 16. Mr. Narinder Singh Bali, KAS, Joint Transport Commissioner, J&K, is transferred and posted as Additional District Development Commissioner, Doda, against an available vacancy.
 17. Mr. Farooq Ahmad Shah, KAS, awaiting orders of adjustment in the General Administration Department, is posted as Special Secretary to the Government, Revenue Department.
 18. Mr. Mohammad Harun Malik, KAS, awaiting orders of adjustment in the General Administration Department, is posted as Deputy Commissioner, Poonch.
 19. Mr. Nisar Ahmad Wani, KAS, Deputy Commissioner, Poonch, is transferred and posted as Special Secretary to the Government, Information Technology Department.
 20. Mr. Mahmood Ahmad Shah, KAS, Regional Transport Officer, Kashmir, is transferred and posted as Joint Director, Tourism, Kashmir, against an available vacancy. He shall hold the charge of the post of Director, Tourism, Kashmir, in addition to his own duties till further orders.
- Mr. Shafqat Iqbal, KAS, Joint Director, Information, Kashmir shall hold the charge of the post of Regional Transport Officer, Kashmir, in addition to his own duties, till further orders.

21. Mr. Vinod Sharma, Director (Safeguards), J&K Economic Reconstruction Agency, is posted as Chief Executive Officer, J&K Economic Reconstruction Agency, in his substantive pay scale, relieving Administrative Secretary, Planning and Development Department of the additional charge.
22. Mr. Daleep Thusoo, awaiting orders of adjustment in the General Administration Department is posted as Managing Director, J&K Project Construction Corporation.
23. Mr. Abdul Hamid Sheikh, Managing Director, the J&K Project Construction Corporation, is transferred and posted as Chief Engineer, PMGSY, Jammu vice Mr. Nayeem Ahmad, who shall await further orders of adjustment in the Public Works (R&B) Department.
24. Mr. P. L. Bhushan, under orders of posting as Incharge Chief Engineer, SKUAST, Kashmir is posted as Chief Engineer in the J&K Police Housing Corporation.
25. Mr. G. N. Qasba, awaiting orders of adjustment in the General Administration Department is posted as Mission Director, National Rural Livelihood Mission, J&K against an available vacancy.
26. Mr. Tufail Mattoo, awaiting orders of adjustment in the Industries and Commerce Department, is posted as Director, Urban Local Bodies, Kashmir relieving Mr. Bipul Pathak, IAS, of the additional charge.

It is further ordered that the officers at S. Nos. 21-22 & 24-26 shall retain their lien and promotion prospects in their parent departments/ organizations.

By order of the Government of Jammu and Kashmir.

(Sd.) GAZZANFER HUSSAIN,

Commissioner/Secretary to the Government.



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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—INDUSTRIES AND COMMERCE
DEPARTMENT

Subject :—Extension of Industrial Policy-2004 notified vide Government
Order No. 21-IND of 2004 dated 27-01-2004.

Reference :—Cabinet Decision No. 141/11/2015 dated 19-10-2015.

Government Order No. 145-IND of 2015

Dated 20-10-2015.

Sanction is accorded for the following :—

- (i) The Industrial Policy-2004 notified vide Government Order
No. 21-IND of 2004 dated 27-01-2004 shall remain in force till

31st March, 2016 or till the New J&K Industrial Policy is notified, whichever is earlier.

- (ii) Subject to (a) above all orders/modifications/procedures/instructions issued by the Industries and Commerce Department from time to time for implementation of the policy and for ease of doing business/facilitation of Industry shall remain in force until any further modification is issued or till the new Industrial Policy is notified by the State Government, whichever is earlier.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAILENDRA KUMAR, IAS,

Commissioner/Secretary to Government,
Industries and Commerce Department.

GOVERNMENT OF JAMMU AND KASHMIR
HOME DEPARTMENT

Subject :—Stop-gap placement of Assistant Labour Procurement Officers as Labour Procurement Officers.

Reference :—Letter No. DLP/HO/Estt/15/792 dated 10-07-2015 from Director, Defence Labour Procurement Department.

Government Order No. 471-Home of 2015

Dated 14-10-2015.

Sanction is hereby accorded to the placement of the following Assistant Labour Procurement Officers as Labour Procurement Officers in their own pay and grade with the benefit of charge allowance as admissible under rules for a period of six months or till the posts are filled up on the recommendations of DPC/PSC, whichever is earlier :—

1. Shri Phuntsog Angchouk (ST).
2. Shri Mohammad Ramzan (RBA).

The above arrangements are made purely in the interest of administration on stop-gap basis and shall not confer any preferential right upon these officers for promotion, which shall be made strictly in accordance with the Jammu and Kashmir Defence Labour Procurement (Gazetted) Service Recruitment Rules, 2011.

The above placements are also without prejudice to the outcome of any writ petition(s) pending before any competent Court of Law.

Consequent upon their placement as Labour Procurement Officers, they will await orders of adjustment in the Directorate of Defence Labour Procurement.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Principal Secretary to Government,
Home Department.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT
(Administration Section)

Subject :—Inspection of offices of Civil Secretariat before they open in
Jammu—Annual Darbar Move Winter Season, 2015-16.

Circular No. 32-GAD of 2015

Dated 14-10-2015.

It has been observed that on the day when offices reopen, after Darbar Move, sacks of files, boxes etc. are seen strewn in corridors of the Civil Secretariat despite the advance preparations made by the advance parties.

All the Administrative Secretaries are enjoined upon to depute a senior level officer of his/her department to inspect all the rooms of their respective departments, two days before the offices reopen in Jammu, to ensure that all the offices are ready to start functioning from the day they reopen in Jammu.

(Sd.) GAZZANFER HUSSAIN,
Commissioner/Secretary to Government.



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PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In pursuance to Government Order No. 1386-GAD of 2015 dated 19-10-2015 issued under endorsement No. GAD(Ser)67/2012 dated 19-10-2015, the undersigned assume the charge of Director, Social Welfare Department, Jammu today on 23rd October, 2015 F. N.

(Sd.) VEER JI HANGLOO,

Director,
Social Welfare Department,
Jammu.

In pursuance to Government Order No. 271-PW(R&B) of 2015 dated 14-10-2015, Shri A. K. Gandotra has been posted as Superintending Engineer, PWD (R&B) Circle, Udhampur/Reasi. Accordingly, the undersigned assumed the charge as Superintending Engineer, PWD (R&B) Circle, Udhampur, today on 17-10-2015 forenoon.

(Sd.)

Superintending Engineer,
PWD (R&B) Circle,
Udhampur.



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PART II—B

Notifications, Notices and Orders by Heads of Departments.

Notice

My parents name has wrongly been written as Anjana Kumari Sharma instead of Anjana Sharma (Mother) and Bushan Bharat Sharma instead of Bharat Bushan Sharma in School records. Now studying in 10th Class under Roll No. 24, sec- 'A'. Now I am applying for corrections. Objection, if any, may be conveyed to Principal, Presentation Convent Sr. Sec. School, Gandhi Nagar, Jammu or concerned authority within 7 days.

Mimansa Sharma,
D/o Bharat Bushan Sharma
R/o H. No. 312, Lane No. 6,
Sector-1, Nanak Nagar, Jammu.

GOVERNMENT OF JAMMU AND KASHMIR
(REHABILITATION DEPARTMENT)
OFFICE OF THE CUSTODIAN, EVACUEE'S PROPERTY,
JAMMU.

Notification

Dated 14-08-2015.

In pursuance of sub-section (3) of section 6 of the Jammu and Kashmir State Evacuee's (Administration of Property) Act, VI of 2006, the Custodian is pleased to notify for general information the list of Evacuee's Properties specified in the schedule annexed hereto, which have vested in him.

Schedule

S. No.	Description	Locality
1.	Illegal construction raised on the Evacuee property land under Khasra No. 13 by Sh. Permanand S/o Jakkar Ram R/o Payan with the following dimensions :— 1. Three Room = 10'x10', each 2. Store = 06'x06', 3. Verandha = 10'x11'.	Vill. Payan, Tehsil Akhnoor.

(Sd.) M. H. MALIK,

Custodian,
Evacuee Property,
Jammu.



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ADVERTISEMENTS—C

OFFICE OF THE SUPERINTENDING ENGINEER,
SYSTEM AND OPERATION CIRCLE-II,
AMBEDKAR CHOWK, RAILWAY ROAD, JAMMU,
POWER DEVELOPMENT DEPARTMENT, J&K.

Notice Inviting e-Bids

e-NIT No. 03 of 2015-16 dated 09-11-2015.

The Superintending Engineer, System and Operation Circle-II, Jammu, Power Development Department, J&K, for and on behalf of the Governor, Jammu and Kashmir State online e-Bids invites from experienced, reputed, competent and financially sound Contractors/Self Help Groups/Companies/Firms/Joint Ventures for laying of tower foundations of 132KV S/C Transmission line on D/C Towers from 132/66 KV Grid Sub-Station, Samba to RTSS at Samba, District Samba of J&K State, fulfilling eligibility and qualification requirements specified in the bidding documents. Bidders are advised to study the bidding document carefully. Submission of e-Bid against

this Standard Bidding Document (SBD) shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the Standard Bidding Document with full understanding of its implications. The tender document is available at website <http://jktenders.gov.in>. Interested bidders may view/download the e-Bid document, submit their e-Bid online up to the date and time mentioned in the table below :—

Scope of the Work	Estimate Cost	Earnest Money	Cost of tender Documents	Last Date of e-Bids submission online
Laying of Tower foundations (35 numbers) of 132 KV S/C Transmission Line on D/C Towers from 132/66 KV Grid Sub-Station, Samba to RTSS Samba, District Samba of J&K State	Rs 105.72 lacs	Rs. 2.11 lacs	Rs. 5000/- (Rupees Five Thousand only) in the shape of non-refundable bank draft drawn in favour of Executive Engineer, Grid Construction Division, Jammu	26-11-2015
a. Date and time of downloading of Standard Bidding Document	The Standard Bidding Document can be downloaded from http://jktenders.gov.in from 10-11-2015 after 1700 Hrs.			
b. Pre-Bid meeting	On 16-11-2015 at 1300 hrs. in the Office of Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K			
c. e-Bid submission start date	16-11-2015, 1000 hrs. onwards			
d. Last date for submission of hard copy of Bid	26-11-2015 up to 1600 hrs.			

- | | |
|--|---|
| e. Last date and time for e-Bid submission | 26-11-2015 up to 1600 hrs. |
| f. Online Commercial and Technical e-Bid opening date and time | 03-12-2015 at 1300 hrs. |
| g. Online financial e-Bid opening date and time | Date and time for financial e-Bid opening will be communicated only to the Technically Qualified Bidders. |
| h. Estimated cost | Rs. 105.72 Lacs. |
| i. Venue of opening of Technical and Financial e-Bids. | Office of the Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K. |

Period of Completion : 90 days after the issue of LOA.

Availability of Funds : Funds are available.

The qualifying criteria for the bidders shall be the following :—

- (1) The bid of the Firm/Contractors/Self Help Groups/Companies/Joint Ventures involved in litigation/arbitration with PDD without completing the works allotted to them shall not be considered besides, the bidder shall have the following minimum qualification criteria for submitting the bid :—
 - (a) Average Annual financial turnover during last three years ending 31st March, 2015 should be at least 30% of the estimated cost.
 - (b) Experience of having successfully completed similar works during last seven years ending last day of the month, previous to the one in which applications are invited should be either of the following :—
 - (i) Three similar completed works each costing not less than the amount equal to 40% of the estimated cost.

Or

- (ii) Two similar completed works each costing not less than the amount equal to 50% of the estimated cost.

Or

- (iii) One similar completed work costing not less than the amount equal to 80% of the estimated cost.

(1) e-Bid may be submitted by—

A single firm that meets all qualification requirements set forth in para 1 (a) and 1 (b) above.

- (a) joint venture of firms having not more than two partners who shall meet all qualification requirements collectively set forth in 1 (a) & 1 (b) above. Either of the partner can be designated as lead partner on whose name tender shall be purchased.
- (b) All the e-Bids must be accompanied by the scanned copy of EMD in the form of Bank Guarantee pledged to the Executive Engineer, Grid Construction Division, Ambedkar Chowk, Railway Road, Jammu. No Interest would be payable on Earnest Money deposited with the department.
- (c) To submit Hard Copy of original instrument of EMD to Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K before the opening of the Commercial and Technical e-Bid.
- (d) The date and time of opening of financial e-Bids shall be notified on Website <http://jktenders.gov.in>. This will be conveyed to the qualified bidders automatically through an e-Mail message on their e-Mail address. The Financial bids shall be opened accordingly online on same Website in the Office of Chief Engineer, System and Operation Wing, Jammu, PDD Complex, Narwal, J&K. The e-Bids will be electronically opened in the presence of bidder's representatives, who chooses to attend at the venue, date

and time mentioned in the above table. The bidder's representative attending the opening shall have to produce an authority letter issued by the firm.

- (3) This SBD is available on the website <http://jktenders.gov.in> to enable the bidders to view, download the e-Bid document and submit e-Bids online up to the last date and time mentioned in e-Tender notice/e-Tender document. The bidders shall have to pay the document fee of Rs. 5000/- (Rupees five thousands only) through Demand Draft payable to Executive Engineer, Grid Construction Division, Jammu. The scanned copy of the Demand Draft must be uploaded along with the e-Bid but the original Demand Draft along with hard copy should reach in the Office of Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, (J&K) before opening of tender. The e-Tender document fee will be non-refundable.
- (4) The foundations of tower locations would be laid strictly as per the drawings approved by CEA PDD/competent authority.
- (5) The intending tenderer are advised to visit work site before quoting.
- (6) The Chief Engineer, System and Operation Wing, Jammu, Power Development Department reserves the right to reject any or all the e-Bid documents without assigning any reasons thereof.
- (7) The Chief Engineer, System and Operation Wing, Jammu reserves the right to terminate the tendering process at any stage without assigning any reasons.

(Sd.)

Superintending Engineer,
System and Operation Circle-II,
PDD, Jammu.

OFFICE OF THE SUPERINTENDING ENGINEER,
SYSTEM AND OPERATION CIRCLE-II,
AMBEDKAR CHOWK, RAILWAY ROAD, JAMMU,
POWER DEVELOPMENT DEPARTMENT, J&K.

Notice Inviting e-Bids

e-NIT No. 04 of 2015-16 dated 09-11-2015.

The Superintending Engineer, System and Operation Circle-II, Jammu, Power Development Department, J&K, for and on behalf of the Governor of Jammu and Kashmir State online e-Bids hereby invites from experienced, reputed, competent and financially sound Contractors/Self Help Groups/ Companies/Firms/Joint Ventures for construction of 1x50MVA, 132/33KV portion of the proposed 220/132/33 KV Grid Station at Siot, District Rajouri, J&K, fulfilling eligibility and qualification requirements specified in the bidding documents for Turn Key Package for Design Engineering, Manufacture, testing at manufacture's work, packing, and forwarding, insurance transportation to project site, Erection, Testing and Commissioning of various equipments and materials. Bidders are advised to study the bidding document carefully. Submission of e-Bid against this Standard Bidding Document (SBD) shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the standard bidding document with full understanding of its implications. The tender document is available at website <http://jktenders.gov.in>. Interested bidders may view/download the e-Bid document, submit their e-Bid online up to the date and time mentioned in the table below :—

Scope of the Work	Estimated Cost	Earnest Money	Cost of tender Documents	Last Date of e-Bids submission online
1	2	3	4	5
Design Engineering, Manufacture, testing	Rs. 1639.49 lacs	Rs. 32.78 lacs	Rs. 15000/- (Rupees Fifteen	27-11-2015

1	2	3	4	5
	at manufacture's work, packing, and forwarding, insurance transportation to project site, Erection, Testing and Commissioning of various equipment and materials for construction of 1x50MVA, 132/33kV Grid Station, Siot, District Rajouri, J&K		Thousand only) in the shape of non-refundable bank draft drawn in favour of Executive Engineer, Grid Construction Division, Jammu	
a.	Date and time of downloading of Standard Bidding Document		The Standard Bidding Document can be downloaded from http://jktenders.gov.in from 10-11-2015 after 1700 Hrs.	
b.	Pre-Bid meeting		On 17-11-2015 at 1300 hrs. in the Office of Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K	
c.	e-Bid submission start date		17-11-2015.	
d.	Last date for submission of hard copy of Bid		27-11-2015 up to 1600 hrs.	
e.	Last date and time for e-Bid submission		27-11-2015 up to 1600 hrs.	
f.	Online Commercial and Technical e-Bid opening date and time		04-12-2015.	
g.	Online financial e-Bid opening date and time		Date and time online financial e-Bid opening will be communicated only to the Technically Qualified Bidders.	

- | | |
|--|---|
| h. Estimated cost | Rs. 1639.49 Lacs. |
| i. Venue of opening of Technical and Financial e-Bids. | Office of Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K. |

Period of Completion : 18 months after the issue of LOA

The qualifying criteria for the bidders shall be the following :—

- (1) The bid of the Firm/Contractors/Self Help Groups/Companies/ Joint Ventures involved in litigation/arbitration with PDD without completing the works allotted to them shall not be considered besides, the bidder shall have the following minimum qualification criteria for submitting the bid—

- (a) Average annual financial turnover during last three years ending 31st March, 2015 should be at least 30% of the estimated cost.

- (b) Experience of having successfully completed similar works during last seven years ending last day of the month, previous to the one in which applications are invited should be either of the following :—

- (i) Three similar completed works each costing not less than the amount equal to 40% of the estimated cost.

Or

- (ii) Two similar completed works each costing not less than the amount equal to 50% of the estimated cost.

Or

- (iii) One similar completed work costing not less than the amount equal to 80% of the estimated cost.

- (1) e-Bid may be submitted by—

A single firm that meets all qualification requirements set forth in para 1 (a) and 1 (b) above.

- (a) joint venture of firms having not more than two partners who shall meet all qualification requirements collectively set

forth in 1 (a) & 1 (b) above. Either of the partner can be designated as lead partner on whose name tender shall be purchased.

- (b) All the e-Bids must be accompanied by the scanned copy of EMD in the form of Bank Guarantee pledged to the Executive Engineer, Grid Construction Division, Ambedkar Chowk, Railway Road Jammu. No Interest would be payable on Earnest Money deposited with the department.
 - (c) To submit Hard Copy of original instrument of EMD to Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, J&K before the opening of the Commercial and Technical e-Bid.
 - (d) The date and time of opening of financial e-Bids shall be notified on Website <http://jktenders.gov.in>. This will be conveyed to the qualified bidders automatically through an e-Mail message on their e-Mail address. The Financial bids shall be opened accordingly online on same Website in the Office of Chief Engineer, System and Operation Wing, Jammu, PDD Complex, Narwal, J&K. The e-Bids will be electronically opened in the presence of bidder's representatives, who chooses to attend at the venue, date and time mentioned in the above table. The bidder's representative attending the opening shall have to produce an authority letter issued by the firm.
- (3) This SBD is available on the website <http://jktenders.gov.in> to enable the bidders to view, download the e-Bid document and submit e-Bids online up to the last date and time mentioned in e-Tender notice/e-Tender document. The bidders shall have to pay the document fee of Rs. 15000/- (Rupees fifteen thousands only) through Demand Draft payable to Executive Engineer, Grid Construction Division, Jammu. The scanned copy of the Demand Draft must be uploaded along with the e-Bid but the original

Demand Draft along with hard copy should reach in the Office of Chief Engineer, System and Operation Wing, PDD Complex, Narwal, Jammu, (J&K) before opening of tender. The e-Tender document fee will be non-refundable.

- (4) The bidder must be either manufacturer of Power Transformer/main equipments/gantry structures and other allied material himself or has to procure the above material from the reputed firms having seven years past experience along with relevant test reports of material.
- (5) The intending tenderer are advised to visit work site before quoting.
- (6) The foundations of Gantry Columns/Equipments structures would be laid after approval of drawings submitted by successful tenderer by CEA/PDD/competent authority.
- (7) The Chief Engineer, System and Operation Wing, Jammu Power Development Department reserves the right to reject any or all the e-Bid documents without assigning any reasons thereof.
- (8) The Chief Engineer, System and Operation Wing, Jammu reserves the right to terminate the tendering process at any stage without assigning any reasons.

(Sd.)

Superintending Engineer,
System and Operation Circle-II,
PDD, Jammu.

رجسٹرڈ نمبر ہے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 128۔ جموں۔ مورخہ 26 نومبر 2015ء بمطابق 5 اگراہنا 1937- ویروار۔ نمبر 35

اِستِہارات

از عدالت سب جج مطالبہ خفیفہ (جوڈیشل مجسٹریٹ درجہ اول) سرینگر

سرکار بنام بشیر احمد وانی وغیرہ

بذریعہ علت نمبر 160 سال 2002ء، تھانہ پولیس پارمپورہ

جرم زیر دفعہ : 379 /RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : بشیر احمد وانی ولد احمد وانی ساکنہ ہر دولٹنا تحصیل بیروہ

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

معاملہ مندرجہ عنوان اُلصدر میں چالان متذکرہ بالا عدالت ہذا میں بغرض سماعت رواں ہے۔ جس میں ملزم متذکرہ بالا حاضر عدالت نہ ہو رہا ہے اور ملزم کے خلاف عدالت ہذا سے بار بار وارنٹ گرفتاری اجراء ہونے کے باوجود ملزم حاضر عدالت نہ ہو رہا ہے۔ اس نسبت وارنٹ اجراء شدہ سے رپورٹ سے بھی عیاں ہے کہ ملزم دستیاب نہ ہو رہا ہے۔ اس طور عدالت ہذا کو بھی اطمینان ہو چکا ہے کہ بطریق معمول ملزم متذکرہ بالا کی دستیابی فی الحال ممکن نہ ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا کر تمام اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ آپ ملزم متذکرہ بالا کو جہاں کہیں اندر حدود ریاست جموں و کشمیر دستیاب ہو، کو گرفتار کر کے عدالت ہذا میں ہمارے روبرو پیش کریں۔ وارنٹ ہذا دستیابی ملزم زیر کارر ہے گا۔ تحریر 15-10-2-14 وارنٹ ہذا رقم کے دستخط و مہر عدالت سے جاری ہوا ہے۔

دستخط : سبج مطالبہ خفیہ (جوڈیشل مجسٹریٹ درجہ اول) سرینگر۔
از عدالت سپیشل میونسپل موبائل جوڈیشل مجسٹریٹ درجہ اول جموں
سرکار بنام رچھپال سنگھ وغیرہ

مثل نمبر 151/چالان، دائرہ 27-07-2015، فیصلہ رواں

علت نمبر 22 سال 2015ء، تھانہ پولیس گھروٹہ

بجرائم زیر دفعات : 4/25 A. Act, 376/506/34RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : بلونت سنگھ ولد اُنکا سنگھ ساکنہ گاؤں برن پٹہ، تحصیل بھلوال، ضلع جموں
حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان اُلصدر میں آپ کو تحریر کیا جاتا ہے کہ ملزم کو عرصہ سے طلب کیا جا رہا ہے۔ الا ملزم حاضر عدالت نہ آ رہا ہے۔ اس نسبت تعمیل کنندہ کا بیان بھی قلمبند کیا گیا۔ تعمیل کنندہ کا بیان ہے کہ ملزم کو علاقہ ہذا میں کافی تلاش کیا گیا اور وہ دستیاب نہ ہوا۔ بیان تعمیل کنندہ و ضابطہ مثل سے پایا ہے کہ ملزم کی تعمیل بطریق معمول ہونی مشکل ہے۔ لہذا ملزم کے خلاف وارنٹ گشتی عام جاری کیا جاتا ہے اور اہلکاران پولیس ریاست جموں و کشمیر کو حکم دیا جاتا ہے کہ وہ ملزم کو اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو گرفتار کر کے روبرو عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

آج مورخہ 27-07-2015 کو ہمارے دستخط و مہر عدالت سے

جاری ہوا۔

دستخط : سپیشل میونسپل موبائل جوڈیشل مجسٹریٹ درجہ اول جموں۔

از عدالت سب جج جوڈیشل مجسٹریٹ درجہ اول کٹرہ

سرکار بنام دلدار سنگھ وغیرہ

علت نمبر 216 سال 2012ء تھانہ پولیس کٹرہ

بجرائم زیر دفعات 48(a) Ex. Act/188 RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

مثل نمبر 149 / چالان، تاریخ دائرہ 29-12-2012 بجرائم بالا
میں ملزم تولہ سنگھ ولد بہادر سنگھ قوم راجپوت ساکنہ گراڑی تحصیل سرمولی ضلع درجولہ
نیپال، بعد ارتکاب جرم ملزم دیدہ دانستہ طور پر روپوش ہوا ہے۔ الا ملزم مذکور کی
دستیابی سردست ہونا نہ ممکن ہی نہیں بلکہ دشوار بھی ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ گشتی عام
زیر دفعہ 512 ض ف حکم و اختیار دیا جاتا ہے کہ ملزم مذکور اندر حدود ریاست
جموں و کشمیر جہاں کہیں اور جب بھی کبھی دستیاب ہو، گرفتار کر کے عدالت ہذا میں
پیش کریں۔ وارنٹ مجریہ دستیابی ملزم مذکور زیر کار رہے گا۔

آج مورخہ 04 جون 2015ء دستخط راقم و مہر عدالت سے

جاری ہوا ہے۔

دستخط : سب جج جوڈیشل مجسٹریٹ درجہ اول کٹرہ۔

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EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Tue., the 30th Sept., 2015/8th Asv., 1937. [No. 26-f

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 30th September, 2015.

SRO-344.—In exercise of the powers conferred by sub-section (2) of section 3 of the Jammu and Kashmir Entry Tax on Goods Act, 2000 (Act No. IV of 2000), the Government hereby exempt from payment of

entry tax, leviable under the said Act, one full set Laparoscopes, ten number of Baby Warmers and five number of Photo Led Machines donated/imported into the State by “Arnericares India Foundation” an NGO to L. D. Hospital, Srinagar subject to the condition that the Principal, Government Medical College, Srinagar certifies that the aforementioned goods are exclusively meant for the L.D. Hospital.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS

Notification

Srinagar, the 1st October, 2015.

SRO-345.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the below mentioned officers to be the Executive Magistrates of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within their respective territorial jurisdiction of District, Samba :—

S/Shri

1. Ms. Rajni Bala, Tehsildar, Ghagwal ;
2. Sidarath Dhiman, Tehsildar, Rajpura.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Secretary to Government,
Department of Law, Justice and
Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Acquittal Section)

Notification

Srinagar, the 3rd October, 2015.

SRO-346.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri A. A. Teli, Advocate, Srinagar as Special Public Prosecutor to conduct the acid attack case titled State Vs. Irshad Wani and Ors. pending trial before the Court of Principal District and Sessions Judge, Srinagar.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Secretary to Government,
Department of Law, Justice and
Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Srinagar, the 5th October, 2015.

SRO-347.—In exercise of the powers conferred by clause (a) of section 9 the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (Act No. XXIII of 1988, and section 9 of the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988 (Act No. XXV of 1988), the Government hereby appoint retired Justice, Mr. B. L. Bhat as Chairman of the Advisory Boards for the purposes of the said Acts.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to Government,
Home Department.

No. 27-d] The J&K Govt. Gazette, 5th Oct., 2015/13th Asv., 1937. Mon.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LADAKH AFFAIRS DEPARTMENT

Notification

Srinagar, the 5th October, 2015.

SRO-348.—In exercise of the powers conferred by section 11 of the Ladakh Autonomous Hill Development Council, Act, 1997 (Act No. XXXII of 1997), the Government hereby appoint Principal District and Sessions Judge, Kargil as the Authority for purposes of the said section.

By order of the Government of Jammu and Kashmir.

(Sd.) B. R. SHARMA, IAS,

Financial Commissioner,
Ladakh Affairs Department.

No. 27-e] The J&K Govt. Gazette, 5th Oct., 2015/13th Asv., 1937. Mon.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LADAKH AFFAIRS DEPARTMENT

Notification

Srinagar, the 5th October, 2015.

SRO-349.—In exercise of the powers conferred by section 11 of the Ladakh Autonomous Hill Development Council, Act, 1997 (Act No. XXXII of 1997), the Government hereby appoint Principal District and Sessions Judge, Leh as the Authority for purposes of the said section.

By order of the Government of Jammu and Kashmir.

(Sd.) B. R. SHARMA, IAS,

Financial Commissioner,
Ladakh Affairs Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Mon., the 5th Oct., 2015/13th Asv., 1937. [No. 27-f

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LADAKH AFFAIRS DEPARTMENT

Notification

Srinagar, the 5th October, 2015.

SRO-350.—In pursuance of rule 7 of the Ladakh Autonomous Hill Development Councils (Election) Rules, 1995, and in partial modification of Notification SRO-307 dated 8th September, 2015, the Government hereby

appoint officers shown in Column (3) to be the Returning Officers /Assistant Returning Officers in respect of the constituencies indicated in Column (2) of the sub-joined schedule for conducting 5th General Election to LAHDC, Leh, 2015 :—

S. No.	Name of the Constituency	Name and Designation of the new Returning Officers/Assistant Returning Officers
1.	15-Chuchot	Shri Sonam Dorjey Namgial, Principal, Girls HSS, Leh (Returning Officer).
2.	5-Panamik	Shri Tsering Angchok, AEE, Construction Div. Leh (Returning Officer).
3.	9-Kungyam	Shri Sadiq Ali Wazir, Executive Engineer PMGSY, Leh (Returning Officer).
4.	16-Upper Leh	Shri Rajesh Kumar Gorka, Lecturer Urdu, HSS, Chushot Shama (Assistant Returning Officer).
5.	2-Hundar	Sh. Mohd. Iqbal Khan, Lecturer, Urdu, HSS, Bogdang (Assistant Returning Officer).

By order of the Government of Jammu and Kashmir.

(Sd.) B. R. SHARMA, IAS,

Financial Commissioner,
Ladakh Affairs Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Mon., the 5th Oct., 2015/13th Asv., 1937. [No. 27-g

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF FOREST,
ENVIRONMENT AND ECOLOGY

Notification

Srinagar, the 5th October, 2015.

SRO-351.—In exercise of powers conferred by section 4 of the
Water (Prevention and Control of Pollution) Act, 1974, the Government of

Jammu and Kashmir hereby direct that for entries 01 and 17 appearing in Notification SRO-270 of 2014 dated 02-09-2014, the following shall be substituted ; namely :—

Chairman :

01 Shri Abdul Razak, IFS Chairman

Member-Secretary :

17 Shri Vasu Yadav, IFS Member-Secretary

This shall come into force with effect from the date they have assumed the charge as Chairman and Member-Secretary respectively in the Pollution Control Board.

By order of the Government of Jammu and Kashmir.

(Sd.) RAKESH K. GUPTA, IAS,

Principal Secretary to Government,
Department of Forest, Environment and Ecology.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Mon., the 5th Oct., 2015/13th Asv., 1937. [No. 27-h

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 5th October, 2015.

SRO-352.—In exercise of the powers conferred by section 5 of the Jammu and Kashmir Levy of Tolls Act, Samvat, 1995, (Act No. VIII of 1995), the Government hereby exempt from payment of

levy of toll leviable under the said Act, forty tons of cattle feed to be imported into the State by Brahmirishi Shri Dhudhadhari Barfani Ashram Hardwar as donation free of cost for use in Shri Ram Gowshalla Babliyana, Jammu provided that the Pardhan of Shri Ram Gowshalla Babliyana, Jammu certifies that the cattle feed so imported is exclusively meant for the aforesaid purpose.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,
Finance Department.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Tue., the 6th Oct., 2015/14th Asv., 1937. [No. 27-i

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 6th October, 2015.

SRO-353.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendments shall be made in the Jammu and Kashmir Civil Services (Leave) Rules, 1979, namely :—

1. For rule 41, the following rule shall be substituted, namely :—

“41(1). **Maternity Leave.**—(i) A woman employee
(including an apprentice) may be granted Maternity leave by an

authority competent to grant leave for a period which may extend up to 180 days from the date of its commencement.

(ii) Maternity leave shall be available up to two living children only.

(iii) Maternity leave not exceeding six weeks may also be granted to a woman employee (irrespective of number of children she has) in case of miscarriage including abortion, on production of medical certificate as laid down in rule 19.

(iv) During such period, she shall be paid leave salary equal to pay drawn immediately before proceeding on leave.

(v) Maternity leave may be combined with leave of any other kind.

(vi) Maternity leave shall not be debited against leave account.”

“(2). **Paternity Leave.**—A male employee (including an apprentice) may be granted Paternity Leave by an authority competent to grant leave for a period of 15 days, during the confinement of his wife for childbirth, i. e. around 15 days before expected date of delivery, or up to six months from the date of delivery of the child. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity leave shall not be debited against the leave account and may be combined with any other kind of leave (as in case of maternity leave). It may not normally be refused under any circumstances.”

By order of the Governor.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,
Finance Department.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Tue., the 6th Oct., 2015/14th Asv., 1937. [No. 27-j

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 6th October, 2015.

SRO-354.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that following amendments shall be made in Jammu and Kashmir Family Pension-cum-Gratuity Rules, 1964 as contained in

Schedule XV of Jammu and Kashmir Civil Services Regulations Vol. (II) ;
namely :—

In rule 22.—

In sub-rule (a) ;

I. after clause (iv), the following clause shall be added,
namely :—

“(v) failing (i) to (iv) to the divorced daughter.”

II. after Note 2, following Note shall be added, namely :—

“**Note 3.**—Subject to fulfillment of other conditions as laid down under these rules, the widowed/divorced daughter of a Government servant/pensioner will be eligible for family pension with effect from the date of issuance of respective orders, irrespective of the date of death of the Government servant/pensioner. Family pension of unmarried/widowed/divorced daughter and dependent parents shall be payable only after the other eligible family members have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension.

The dependency criteria for the purpose of family pension shall be the minimum family pension i. e. Rs. 3500 p. m. along with dearness relief thereon.”

By order of the Governor.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Jammu, Thu., the 29th Oct., 2015/7th Kart., 1937. [No. 31-1

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separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT
(Administration Section)

Subject :—Updating the National Population Register (NPR) and seeding
Aadhar in the NPR database.

Reference :—Notification No. S. O. 1694(E) dated 25th June, 2015.

Government Order No. 1431-GAD of 2015

Dated 29-10-2015.

Sanction is hereby accorded to the notification of the following schedule
for the State of J&K for conducting field work for house-to-house

enumeration and for collection of information relating to all persons in order to update the National Population Register :—

S. No.	Areas	Dates	
		From	To
1.	Non-Snow Bound	16th November, 2015	15th December, 2015
2.	Snow Bound	16th May, 2016	14th June, 2016

It is further ordered that all the Registrars of Citizens Registration as notified vide SRO-399 dated 29-10-2015 shall undertake the exercise within their notified jurisdiction as per the above indicated schedule.

By order of the Government of Jammu and Kashmir.

(Sd.) GAZZENFER HUSSAIN,

Commissioner/Secretary to the Government,
General Administration Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
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Vol. 128] Jammu, Mon., the 16th Nov., 2015/25th Kart., 1937. [No. 33-1

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separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
J&K, SRINAGAR.

Present : Mr. Zubair A. Raza (District and Sessions Judge)
Presiding Officer

File No. 859/ITLC/2011.

Date of Institution : 19-09-2011.

Date of Award : 30-06-2015.

Mohd. Ayoub Mir, Ex. Senior Manager, SIDCO, R/o Baghat Barzulla,
Srinagar

Petitioner

Versus

Managing Director, J&K State Industrial Development Corporation Ltd.,
Drabu House, Ram Bagh, Srinagar.

Respondent.

In the Matter of :—Petition under section 33 (c), sub-section (2) of Industrial Disputes Act, 1947 read with section 15, sub-section 3 of Payment of Wages Act for recovery of the amount of leave salary for the period of 1.50 months (45 days only) due to the Petitioner.

AWARD

Petition under section 33-C (2) of Industrial Disputes Act read with section 15, sub-section (3) of Payment of Wages Act was preferred by the petitioner averring therein that the petitioner was appointed initial appointment as senior stenographer w. e. f. December, 1981 and retired on superannuation on 30th June, 2010 vide Order No. SIDCO/CO/10/214 dated 17-07-2010. Corporation was brought within the domain of State with regard to the rules and regulations applicable to the employees of the SIDCO as such leave rules were made applicable to the respondents.

That in terms of SRO-124 dated 17-04-1998 the respondents are bound to pay ten (10) months leave salary to the petitioner and vide Government Notification Order No. 19GR of 1980 dated 20-04-1980 ten months leave salary is admissible. That the petitioner is a workman and Respondent No. 1 is the employer under section 22 of Industrial Disputes Act and is responsible for the payment of wages under section 3 of the Act. That the petitioner is entitled to receive the leave salary for a period of ten months whereas the respondent has paid only 255 days leave salary to the petitioner who is otherwise entitled to receive 300 days leave salary due to him. That the leave salary is the retirement benefit of the petitioner and the petitioner is within his rights to seek the redressal of his grievance under the provisions of Payment of Wages Act. That the cause of action has accrued to the petitioner on the date when the leave salary became due that is 30-06-2010 and is recurring cause as being a claim against the respondents. That the petitioner was appointed in District Srinagar and the

respondents Headquarters is also within the jurisdiction of this Hon'ble Tribunal. Petitioner finally prayed that a direction be issued to the respondents under section 15, sub-section (3) of the Payment of Wages Act for the payment of leave salary to the tune of Rs. 73,560/- as per last pay certificate (Revised) issued by the SIDCO.

Notice was issued to the respondents whereupon learned standing counsel for the respondents caused appearance and filed objections averring therein that the petitioner was an employee of the Corporation who retired on 30-06-2010 and had taken all the benefits as are admissible under the corporation rules. That the petitioner has taken his leave salary benefits at the time of his retirement subject to the non-availability of leave as per Corporation rules and nothing is withheld with the Corporation. That this court has no jurisdiction to entertain such claims after the retirement of any employee as the petitioner has accepted the benefits at the time of retirement from the employment of the Corporation and the petitioner has no reason to claim the benefits which are not admissible under SIDCO rules as the Corporation is paying salary to the employees out of its own resources and has no Budgetary support of the State or the Central Government. That as per Order No. SIDCO/MD/CO/08/182 dated 17-10-2008 of the competent authority the J&K Service (Leave) Rules have been made applicable to the employees of this Corporation SIDCO. Leave salary cannot dispute the rules after retirement from Corporation.

The file was posted for further proceedings. I have heard the learned counsel for the petitioner and the respondents also. I have also perused the connected record placed on file and from the perusal of the service record it reveals that the petitioner superannuated on 30-06-2010. It further reveals that upon superannuation leave salary for 45 days was also sanctioned by the respondents.

It is apt to reproduce section 33 C (2) of Industrial Disputes Act, 1947 which reads as under—

“Where any workman is entitled to receive from the employer any money or any benefit which is capable of being computed in

terms of money and if any question arises as to the amount of money due or as to the amount at which such benefit should be computed then the question may subject to any rules that may be made under this Act be decided by such Labour Court as may be specified in this behalf by the appropriate Government within a period not exceeding three months provided where the Presiding Officer of Labour Court considers it necessary and expedient so to do he may for the reasons to be recorded in writing extend such period by such further period as he may think fit.”

It is apt to reproduce section 15, sub-section (3) of Payment of Wages Act which reads as under—

“When any application under sub-section (2) is entertained, the authority shall hear the applicant and the employer or the other person responsible for payment of wages under section 3, or give them an opportunity of being heard, and after such further inquiry (if any) as may be necessary, may, without prejudice to any other penalty to which such employer or other person is liable under this Act, direct the refund to the employed person of the amount deducted, or the payment of delayed wages, together with the payment of such compensation as the authority may think fit, not exceeding ten times the amount deducted in the former case and [not exceeding twenty-five rupees in the later, and even if the amount deducted or the delayed wages are paid before the disposal of the application, direct the payment of such compensation, as the authority may think fit, not exceeding two thousand rupees] :”

From the perusal of the provisions contained under section 33 C (2) of Industrial Disputes Act, 1947 as well as under section 15, sub-section (3) of the Payment of Wages Act, 1936 it reveals that this tribunal is competent to adjudicate. From the perusal of record it is established which is not also disputed by the respondents that the petitioner hereinabove was a *bona fide* employee of the SIDCO who superannuated on 30-06-2010 as reflected in the copy of the service book placed on file.

This factum of retirement of petitioner on 30-06-2010 has been admitted by the respondent in Para 1 of their objections placed on the file. It has also been admitted by the respondent that J&K Service (Leave) Rules have been made applicable to the employees of SIDCO accorded for adoption of the J&K Service (Leave) Rules were made applicable to the employees of the Corporation. It is also not out of place to mention that against the clear admission of the respondents there was no scope for this Tribunal to hold further enquiry.

Therefore, it is not understood that when J&K Service (Leave) Rules were made applicable with effect from SRO-124 dated 17-04-1998. Then why leave salary was withheld by the SIDCO Corporation as the petitioner had retired on 30-06-2010. Who was entitled for 10 months leave encashment salary but the same was withheld by the SIDCO which speaks volumes about the conduct of the Corporation while dealing with its own employees and took a different stand that since the petitioner has already retired and therefore any claim of the petitioner shall not be reopened. However, it is made clear that the claim of the petitioner has been withheld by the Corporation. Who was otherwise entitled to 10 months Leave Salary encashment and the claim of the petitioner is recurring as such is not hit by any limitation period. It has also surprised this tribunal that when the applicability of J&K Service (Leave) Rules have been admittedly made applicable then on what justification the claim of the petitioner stands withheld. It is not out of place to mention that J&K Service (Leave) Rules were made applicable vide Office No. SIDCO/MD/CO/08/182 dated 17-10-2008 with effect from immediate effect as per J&K Civil Service Rules, 1979 by none other than the respondent Corporation itself, thus non-disbursement to the petitioner amounts to withholding of valid claim of the petitioner which cannot be permitted in those circumstances. More so the claim of the petitioner has already been recognized and settled by the respondents when the J&K Service (Leave) Rules were made applicable to the Corporation as such are required to be computed and paid to the petitioner hereinabove without any inordinate delay. Therefore, in such circumstances it is held that the petitioner is entitled to leave encashment salary of 10 months as per J&K Service (Leave) Rules are applicable in

Corporation. As such petitioner is entitled for ten months leave salary and he has already received leave salary for 255 days so rest 45 days are to be payable which amount Rs. 73,560/- only any amount already received on account of leave encashment salary by the petitioner shall be deducted.

It is further directed that respondents shall also pay an amount of Rs. 3000/- as compensation to the petitioner. The amount shall be paid to the petitioner within a period of one month from the date of Award by the respondent failing which the petitioner shall be entitled to interest @ 8% per annum.

For what has been discussed above, I am of the concerned view that the petitioner is entitled to the relief claimed by him. The file after due completion be consigned to records under rules.

A copy of this award be sent to the Government of Jammu and Kashmir through its Commissioner/Secretary, Labour Department for information and publication in the Government Gazette.

Announced :

30-06-2015.

(Sd.) ZUBAIR A. RAZA,
District and Sessions Judge
(Presiding Officer),
Industrial Tribunal/Labour Court,
J&K, Srinagar.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

**THE J&K STATE INFORMATION COMMISSION
(MANAGEMENT) REGULATIONS, 2015.**

Notification

No. 1/JKSIC/2015

Dated 17-11-2015.

In exercise of the powers conferred by section 12(4) of the J&K Right to Information Act, 2009 (Act No.VIII of 2009) and all other provisions enabling in this behalf, the State Chief Information Commissioner hereby makes the following Regulations for management of the affairs of the State Information Commission so as to enable it to function effectively.

CHAPTER I

1. *Short title and commencement.*—(i) These Regulations may be called “the J&K State Information Commission Procedure (Management) Regulations, 2015”.

(ii) They shall come into force with effect from the date they are notified in the Government Gazette.

2. *Definitions.*—In these Regulations unless the context otherwise requires,—

- (a) “Act” means the J&K Right to Information Act, 2009 (Act No. VIII of 2009) ;
- (b) “Appellant” means any person who files second appeal under section 16 of the Act ;
- (c) “Complainant” means any person who files complaint under section 15 of the Act ;
- (d) “Commission” means the J&K State Information Commission ;
- (e) “Complaint” and “appeal” mean complaint and second appeal under section 15 and 16 of the Act respectively ;
- (f) “Division Bench” means a Bench comprising of Chief Information Commissioner and one State Information Commissioner, or two State Information Commissioners as the case may be, as constituted by the Chief Information Commissioner ;
- (g) “Decision” includes an order, direction or determination of an issue ;
- (h) “First Appellate Authority” means an authority so appointed or notified by the public authority under the Act and includes a head of the office or the head of the public authority if no first appellate authority is appointed or notified ;
- (i) “Full Bench” means a Bench comprising of Chief Information Commissioner and State Information Commissioner/Commissioners as constituted by the Chief Information Commissioner ;

- (j) “PIO” means an officer designated by a public authority under section 5(1) of the Act and includes an Assistant PIO so designated or notified under section 5(2) of the Act and it also includes—
 - (i) an officer to whom an application submitted under the J&K Right to Information Act, 2009, seeking certain information is transferred under section 5(4) of the Act ; and
 - (ii) the Head of the public authority in case no PIO is appointed or notified.
- (k) “Prescribed” means prescribed by or under the Act or under the Rules or Regulations.
- (l) “Records” mean the aggregate of documents relating to an appeal or complaint including pleadings, rejoinders, comments, proceedings, documentary or oral evidence, decision, orders and all other documents filed with or annexed to an appeal or complaint or submitted subsequently in connection with such appeal or complaint.
- (m) “Registry” means the Registry of the Commission comprising of the Registrar(s), Additional Registrar(s), Joint Registrar(s), Deputy Registrar(s) or Assistant Registrar(s) ;
- (n) “Registrar” means the Registrar of the Commission appointed by the Government and unless the context otherwise requires includes an Additional Registrar, a Joint Registrar, a Deputy Registrar. In case Gazetted Officer(s) is not available, the Commission may designate an official as Assistant Registrar ;
- (o) “Regulation” means Regulation framed herein ;
- (p) “Representative” means a person duly authorized by the appellant/complainant to represent proceedings and may include a person who may not be an Advocate ;

- (q) “Respondent” includes an intervener or a third party or a party impleaded by the Commission in an appeal/complaint as the case may be ;
- (r) “Rules” mean the Rules framed by the State Government under section 24 of the Act ;
- (s) “State Chief Information Commissioner” means the Chief Information Commissioner appointed under the Act ;
- (t) “State Information Commissioner” means State Information Commissioner appointed under the Act ;
- (u) “Section” means section of the Act ;
- (v) “Single Bench” means a Bench comprising of Chief Information Commissioner or one State Information Commissioner ;
- (w) Words and expressions used herein but not defined shall have the same meaning assigned to them in the Act or in the Rules.

CHAPTER II

Officers of the Commission and their functions

3. *Designation of Registrar.*—The Commission may designate one or more of its officers in the Commission to function and act as Additional Registrar(s), Joint Registrar(s), Deputy Registrar(s) and provide other staff that may be necessary to assist the Registrar in the performance of his duties and responsibilities. In case an officer in the gazetted rank is not available, the Commission may designate an official from sub ordinate cadre as Assistant Registrar for smooth working of the Registry.

4. *Powers and functions of the Registrar.*—(i) The Registrar shall be the Chief Executive of the Commission on the judicial side. Any communication addressed to him shall be deemed to be addressed to the Commission and the Commission will be represented by him in all judicial matters.

(ii) The Registrar shall discharge his functions under the control and superintendence of the Chief Information Commissioner.

(iii) All judicial records of the Commission shall be in the custody of the Registrar.

(iv) The Official Seal of the Commission shall be kept in the custody of the Registrar.

(v) Subject to any general or special directions of the Chief Information Commissioner, the Official Seal of the Commission shall be affixed to any order, summons or other process under the authority of the Registrar.

(vi) The Official Seal of the Commission shall not be affixed to any certified copy issued by the Commission save under the authority of the Registrar.

(vii) The office of the Registrar shall receive all applications, complaints, appeals, counter statements, replies and other documents.

(viii) The Registrar shall decide all questions arising out of the scrutiny of the appeals and complaints and communicate the deficiencies, if any, to complainant/appellant, returnable within 15 days, and in case the deficiencies are not removed within the time frame the Registrar shall place the case before the Commission for appropriate orders.

(ix) The Registrar may require any application, appeal, counter statement, replies presented to the Commission to be amended in accordance with these Regulations and direct any formal amendment of such records.

(x) The Registrar shall fix the date of hearing of appeal, complaint or other proceedings and may prepare and notify in advance a cause list in respect of the cases listed for hearing, particularly the appeal(s) shall be listed at the earliest to enable the Commission to decide the appeal within the time frame prescribed under section 16(11).

(xi) The Registrar may, on payment of a fee prescribed for the purpose, grant leave to a party to the proceedings to inspect the record of the Commission under supervision and in presence of an officer of the Commission.

(xii) Copies of documents authenticated or certified shall be provided to the parties to the proceedings only under the authority of the Registrar.

(xiii) The Registrar shall communicate the decisions, orders or directions of the Commission to the concerned person/persons, and all such communications signed or authenticated by the Registrar or under his authority shall be deemed to be the communications from the Commission.

(xv) The Registrar shall be responsible for ensuring compliance of the orders, directions or decisions passed by the Commission and to take all necessary steps in this regard.

(xvi) The Registrar shall exercise all such powers and discharge all such functions as are assigned to him by these Regulations or by the Chief Information Commissioner from time to time.

(xvii) The Registrar shall assist all Information Commissioners in discharge of their functions.

(xviii) The Additional Registrar shall have all the powers conferred on a Registrar and will exercise all the functions of the Registrar under his guidance.

(xxi) The Registrar may with the approval of the Chief Information Commissioner delegate to a Joint Registrar, Deputy Registrar or Assistant Registrar any function required to be performed under these Regulations for the smooth functioning of the proceedings before the Commission under the Act.

CHAPTER III

5. *Working hours, sittings and vacations etc.*—Subject to any order by the Chief Information Commission, the office of the Commission

will be open on all working days from 9.30 AM to 5 PM when Secretariat is at Jammu during winter session and at Srinagar during summer session observing 5 day week. The offices of Commission in Srinagar and Jammu shall observe same office timings and working hours as are observed by Government offices in Srinagar during winter and in Jammu during summer season with 2nd and 4th Saturday off.

CHAPTER IV

Registration and Return of Appeal

6. *Appeal or complaint etc. to be in writing.*—Every appeal, complaint, application, statement, rejoinder, reply or any other document filed before the Commission shall be computerized typed in double space and printed preferably on Judicial Paper (Green) and the language used therein shall not be in any way indecent or abusive. The complaint/appeal, shall be presented in the Commission in three sets.

7. *Contents of appeal or complaint.*—An appeal or a complaint to the Commission shall contain the following information, namely :—

- (i) name, address, with any valid proof of residence and Phone No. of the complainant/appellant ;
- (ii) Particulars of the Public Information Officer (PIO) and First Appellate Authority (FAA) against whom a complaint/first Appeal is made under section 15 and 16 (i) of the Act, as the case may be ;
- (iii) particulars of the decision or order, against which the appeal is preferred ;
- (iv) brief facts of the appeal or the complaint ;
- (v) prayer or relief sought ;
- (vi) grounds for the prayer or relief ;
- (vii) verification by the appellant or the complainant ;

- (viii) any other information which the Commission may deem necessary for deciding the appeal or complaint.

8. *Documents to accompany appeal or complaint.*—Every appeal or complaint made to the Commission shall be accompanied by self attested copies/photo copies of the following documents, namely :—

- (i) The RTI application submitted before the PIO along with documentary proof as regards payment of fee under the J&K RTI Act, 2009, where the applicant is a person belonging to BPL category, he shall attach proof of the same ;
- (ii) The order, or decision or response, if any, from the PIO to whom the application under the RTI Act was submitted ;
- (iii) The First Appeal submitted before the First Appellate Authority (FAA) with documentary proof of filing the First Appeal ;
- (iv) The orders or decision or response, if any, from the First Appellate Authority against which the appeal or complaint is being preferred ;
- (v) The documents relied upon and referred to in the appeal or complaint ;
- (vi) A certificate stating that in respect of information sought which is the subject matter of appeal—
 - (a) No other request for information or an application or contents regarding the same subject has been previously filed or is pending with any public authority and if so, particulars thereof ;
 - (b) No appeal, complaint or petition is pending with any court or tribunal or with any other authority including the first Appellate Authority or a Public Authority ; and
 - (c) Is not covered by any other appeal, complaint or petition filed before the Commission and if so, the result thereof.

- (vii) An index of the documents referred to in the appeal or complaint ; and
- (viii) A list of dates briefly indicating in chronological order the progress of the matter up to the date of filing the appeal or complaint to be placed at the top of all the documents filed.

9. *Presentation and scrutiny of appeal or complaint*—(i) The Registrar shall receive an appeal or complaint addressed to the Commission and ensure that it is as per Clause 7 & 8 above.

(ii) The Registrar shall scrutinize every appeal/complaint received and will ensure—

- (a) that the appeal or the complaint is duly verified and required number of copies are submitted ;
- (b) That all the documents annexed are duly self attested by the appellant or the complainant ;
- (c) That the copies of the documents filed and submitted are clear, and legible ;

(iii) That Registrar shall intimate the deficiency (ies) to the appellant/complainant for its removal/completion within 15 days from the date of receipt of the deficiency notice.

(iv) The Registrar shall place before the Chief Information Commissioner the following cases for appropriate orders of the Commission and the orders so passed shall be communicated to the appellant/complainant as the case may be :—

- (a) any appeal if it is time-barred ; or
- (b) any appeal/complaint if it is otherwise inadmissible ; or
- (c) any appeal/complaint if it is not in accordance with these Regulations.

(v) All appeals and complaints not rejected or returned as above and found in order shall be registered and a specific number will be allocated.

(vi) The Registrar or any other officer authorized by the Commission shall indicate on every appeal or complaint as referred in (vi) above, the date on which it is admitted by Registrar.

(vii) The appeals and complaints shall bear separate file numbers of the respective registry i. e. Central Office Registry, Jammu Office Registry and Srinagar Office Registry as prescribed.

(viii) If the appellant/complainant fails to remove the deficiencies/rectify the defects within the time allowed in clause (IV) of the above, the appeal or complaint shall be deemed to have been rejected.

9. *Filing of counter statement by the Public Information Officer or the First Appellate Authority.*—Upon admission of a complaint/appeal, a notice shall be served to PIO/FAA or the Public Authority for filing counter statement along with documents, if any, returnable within 7 days in case of Appeal and within 15 days in respect of the Complaint from the date of receipt of notice. The copy of the written statement may also be provided to the complainant/appellant by the PIO/FAA or the Public Authority as the case may be.

10. *Date of hearing to be notified.*—After admission of the appeal/complaint the Commission shall fix the date of hearing and notify the same to the parties.

11. *Posting of appeal or complaint before the Information Commission.*—(i) An appeal or a complaint, or a class/categories of appeals or complaints, shall be heard either by a Single Bench comprising of State Chief Information Commissioner or State Information Commissioner or a Division Bench comprising of State Chief Information Commissioner and State Information Commissioner, or two State Information Commissioners or a Full Bench comprising of State Chief Information Commissioner and two State Information Commissioners, as decided by the State Chief

Information Commissioner by a special or general order issued for this purpose from time to time.

(ii) Where in the course of the hearing of an appeal or complaint or other proceedings before a Single Information Commissioner, the Commissioner considers that the matter should be dealt with by a Division or Full Bench, he shall refer the matter to the State Chief Information Commissioner by a reasoned order who may thereupon constitute such a Bench for the hearing and disposal of the matter.

(iii) Similarly, where during the course of the hearing of a matter before a Division Bench, the Bench considers that the matter should be dealt with by a Full Bench, it shall refer the matter to the State Chief Information Commissioner by a reasoned order who may thereupon constitute such a Bench for the hearing and disposal of the matter.

12. *Withdrawal of an appeal or complaint.*—The Commission may in its discretion allow a prayer for withdrawal of an appeal or complaint during the course of its hearing if such a prayer is made by the appellant or complainant on an application made in writing. However, no such prayer may be entertained by the Commission after the matter has been finally heard or a decision or order has been pronounced by the Commission.

13. *Presence of the appellant or complainant.*—(i) The appellant may seek the assistance of any person while presenting his case before the Commission and the person representing him may not be a legal practitioner. The person representing the appellant must have a proper authority duly signed.

(ii) If the appellant decides not to be present either personally or through his duly authorized representative during the hearing of an appeal before the Commission, the Commission may pronounce its decision or order in the matter on the basis of record available.

(iii) If an appellant/complainant or PIO/FAA whosoever is represented by an Advocate, the Advocate shall file a WAKALATNAM duly attested and affixed with a stamp of Rs. Ten.

(iv) The Commission, if it deems necessary, may seek the personal presence of the appellant or the complainant for disposal of such appeals/complaints.

(v) If the complainant, whose personal appearance has been sought fails to appear before the Commission on the date of hearing of the complaint, the Commission may proceed against him in terms of section 15 of the J&K RTI Act, 2009 read with section 30 and 32 of the Code of Civil Procedure Svt. 1977. Further, the Commission may also dismiss the complaint for non-appearance in terms of order 9 rule 8 of the Code of Civil Procedure Svt. 1977.

14. *Evidence before the Commission.*—(1) In deciding an appeal or a complaint, the Commission may,—

- (i) receive oral or written evidence on oath or on affidavit from concerned person or persons ;
- (ii) peruse or inspect documents, public records or copies thereof ;
- (iii) inquire through authorized officer further details or facts ;
- (iv) examine or hear in person or receive evidence on affidavit from Public Information Officer, Assistant Public Information Officer or such Senior Officer who decided the first appeal or such person or persons against whom the complaint is made as the case may be ; or
- (v) examine or hear or receive evidence on affidavit from a third party, or an intervener or any other person or persons, whose evidence is considered necessary or relevant.

(2) The State Information Commission shall, while inquiring into any matter under section 15 of the Act have the same powers as are vested

in a civil court while trying a suit under the Code of Civil Procedure Svt. 1977 in respect of the following matters, namely :—

- i. summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things ;
- ii. requiring the discovery and inspection of documents ;
- iii. receiving evidence on affidavit ;
- iv. requisitioning any public record or copies thereof from any Court or Office ;
- v. issuing summons for examination of witnesses or documents ; and
- vi. any other matter which may be prescribed.

(3) As provided under section 32 (c) of Code of Civil Procedures Svt. 1977 the Commission may impose fine up to Rs. 5000/- on such officer not responding to the summons under clause (i) of the Regulations 14(2) above.

15. *Issue of summons.*—Summons to the parties or to the witnesses for appearance or for production of documents or records or things shall be issued by the Registrar under the authority of the Commission, and it shall be in such form as may be prescribed by the Commission.

16. *Conduct of an enquiry.*—The Commission may order Registrar or any other officer of the Commission to assist in the conduct of enquiry in connection with any complaint pending before it and Commission while conducting the enquiry shall have all the necessary powers including power to—

- (i) summon and enforce attendance of persons ;
- (ii) compel production of documents or things ;

- (iii) administer oath and to take oral evidence or to receive affidavits or written evidence on solemn affirmation ;
- (iv) inspect documents and require discovery of documents ; and
- (v) requisition any public record or documents from any public authority.

17. *Communication of decisions and orders.*—(i) Every decision or order of the Commission shall be signed and dated by the Commissioner or Commissioners who have heard the appeal or the complaint or have decided the matter.

(ii) Every decision/order of the Commission may be communicated to the parties under authentication by the Registrar or any other officer authorized by the Commission in this regard and a copy placed on Commission website.

(iii) Every such decision or order, whenever pronounced by a Single Bench or by a Division Bench or by a Full Bench, shall be deemed to be the decision or order by the Commission under the Act.

18. *Use of information accessed under RTI Act.*—In consonance with the preamble of the Act and in order to promote transparency and accountability, the Commission while deciding a complaint/appeal may pass a direction wherever it deems necessary asking the information seeker to intimate the Commission end use of the information which he has been provided under RTI Act by the PIO directly or on the intervention of the Commission.

CHAPTER V

Miscellaneous

19. *Seal and emblem.*—The official seal and emblem of the Commission shall be such as the Commission may specify.

20. *Language of the Commission.*—(i) An appeal or a complaint may be filed in English or in Urdu/Hindi and all the documents or copies

thereof shall also be filed in English/Urdu/Hindi. Where a document, in original, is in a language other than English/Urdu or in Hindi, a certified authenticated copy of its translated version in English/Urdu or in Hindi shall also be filed along with the original. This shall also apply in the case of a counter statement, rejoinder, reply or any other document or documents filed before the Commission. The appeal or complaint shall be written in English or Urdu and shall be neat and clean and preferably typed on Judicial/Green paper.

(ii) Appeals and complaints which have already been filed before the date of commencement of these Regulations and have been found in order and are already registered before this date will be proceeded with as before and shall not abate for any infirmity therein but these regulations will be applicable for any prospective action even in regard to such pending appeals and complaints.

By the order of the Commission.

(Sd.) RENU MAHAJAN,

Joint Registrar,
J&K State Information Commission.